**HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No. 890 (M/S) of 2005**

**With**

**Civil Misc. Interim Relief Application No. 5914 of 2005**

Mohit Kumar S/o Sri Naresh Singh
R/o Village Haquikat Pur, Post Officer Bahupura,
District- Bijnor, U.P. ....Petitioner.

**Vs**

1. State of Uttaranchal through Secretary High Education Uttaranchal Government, Dehradun.
2. The Vice Chancellor G.B. Pant University of Agriculture And Technology, Pantnagar, U.S. Nagar.
3. The Registrar, G.B. Pant University of Agriculture, And Technology, Pantnagar, U.S. Nagar. .....Respondents

Sri S.K. Mandal learned counsel for the petitioner.
Sri Rajendra Dobhal learned counsel for the respondent No.2 and 3.
Sri Nand Prasad learned Standing Counsel for the respondent No.1

Dated: 7-3-2006

**Hon'ble B.S. Verma, J.**

Heard Sri S.K. Mandal learned counsel for the petitioner, Sri Rajendra Dobhal learned counsel for the respondent No. 2 and 3 and Sri Nand Prasad learned Standing counsel for the respondent No.1

The present writ petition has been filed by the petitioner with a prayer to issue a writ, order or direction in the nature of mandamus directing and commanding the respondents to give admission to the petitioner in the B.V.Sc and A.H. course in the respondent University and lastly he may be awarded the degree without any technical objection.

During the course of argument, the learned counsel for the petitioner has stated that he has wrongly been shown failed while his G.P.A. is 5.890. Sri Rajendra Dobhal learned counsel for the respondent/University has

stated that the petitioner appeared in first professional B.V.Sc and A.H. annual/Board examination 2002-03 and he failed in four courses and he was declared failed. He has further submitted that the petitioner was re-registered in 1st year of B.V.Sc and A.H. degree programme in the academic session 2003-2004 and he appeared again the first professional B.V.Sc and A.H. annual/Board examination 2003-2004 and he again failed in four courses and he was dropped from the University on account of poor academic performance.

Learned counsel for the petitioner made a request that a liberty be given to the petitioner to move the representation before the Vice Chancellor regarding factual dispute whether he has passed on the G.P.A 5.890.

The petitioner may move fresh representation to the Vice Chancellor for readressal his grievance. If the petitioner moves the representation to the Vice Chancellor, the same shall be decided by speaking order within a period of one month from production of the certified copy of the order.

With the above observation, the writ petition is disposed of.

**(B.S. Verma,J)**

Dated: 7-3-2006
M.K.